

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated September 28, 2007 (hereinafter Office Action) have been considered but are believed to be improper. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Applicant notes that the Office Action is silent with respect to Claims 8 and 10. As these claims have not been rejected, Applicant assumes that they are in condition for allowance and requests that they be identified as being allowed. If this assumption is incorrect, Applicant requests clarification and an opportunity to respond.

Applicant respectfully traverses each of the prior art rejections (§§ 102(b) and 103(a)) based at least in part upon the teachings of U.S. Patent No. 6,253,254 to Erlenkoetter *et al.* (hereinafter “Erlenkoetter”) because the cited reference alone, or as combined with further teachings, does not teach or suggest each of the claimed limitations as asserted. For example, Erlenkoetter does not teach or suggest coding at least part of the content of a predetermined data element of a management object using a predetermined coding algorithm, as claimed in each of the independent claims. Rather, the cited portion at column five merely defines that objects may be organized in a tree structure and are identified by a pathname. Although an object has its own virtual tree of components, attributes and object links, there is no indication that any of these items are coded using a predetermined coding algorithm. Moreover, the mere use of the identifiers for the components of an object’s virtual tree in the object’s pathname fails to suggest any coding, as claimed. Without a presentation of correspondence to each of the claimed limitations, the rejections are improper.

With particular respect to the § 102(b) rejection, Applicant notes that to anticipate a claim the asserted reference must teach every element of the claim. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the patent claim; *i.e.* every element of the claimed

invention must be literally present, arranged as in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Therefore, all claim elements, and their limitations, must be found in the prior art reference to maintain the rejection based on 35 U.S.C. § 102. Applicant respectfully submits that Erlenkoetter does not teach every element of at least independent Claims 1, 6, 7, 9, 11 and 12 in the requisite detail and therefore fails to anticipate Claims 1, 6, 7, 9, 11 and 12. Applicant accordingly requests that the § 102(b) rejection be withdrawn.

In addition, Erlenkoetter has also not been shown to teach assigning at least part of the content of the data element in coded form as an identifier for the management object. Rather, the cited portions merely discuss identifying an object using a URL. Although the URL may include an identifier for an attribute of the object, there is no indication that the attribute's identifier is a specifically coded portion of the content of that attribute (asserted as corresponding to the claimed data element). Also, the URL appears to include identifiers for each of the components of the identified object's tree, and the identified URL at line 55 of column six is a URL for the asserted attribute. Thus, there is no suggestion that coded content of a data element is assigned as an identifier for the management object of the data element as claimed. Without a presentation of correspondence to each of the claimed limitations at least the § 102(b) rejection is improper, and Applicant accordingly requests that the rejection be withdrawn.

With respect to the § 103(a) rejections of dependent claims 2-5, Applicant further traverses because the reliance on the further asserted teachings fails to overcome the above-discussed deficiencies in the teachings of Erlenkoetter. For example, none of the other asserted teachings have been shown to teach coding data element content as claimed. As none of the asserted references teaches or suggests at least these claim limitations, any combination of these teachings must also fail to teach such limitations. Thus, the § 103(a) rejections of dependent Claims 2-5 should also not be maintained. Applicant accordingly requests that each of the rejections be withdrawn.

It should be noted that Applicant does not acquiesce to the Examiner's statements or conclusions concerning what would have been obvious to one of ordinary skill in the art,

obvious design choices, common knowledge at the time of Applicant's invention, officially noticed facts, and the like. Applicant reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

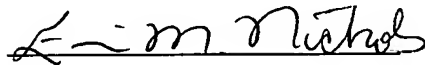
Also, in accordance with the Examiner's request at page two of the Office Action, a supplemental IDS is enclosed containing the identified corrected publication numbers.

Authorization is given to charge Deposit Account No. 50-3581 (KOLS.050PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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By: 
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